

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/674,616	STOREY ET AL.
	Examiner Maury Audet	Art Unit 1654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 02/07/2005.
2.  The allowed claim(s) is/are 22-31.
3.  The drawings filed on 01 November 2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All      b)  Some\*      c)  None      of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**EXAMINER'S AMENDMENT**

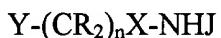
An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Li Cai, Attorney for Applicant, on April 27, 2005.

**IN THE CLAIMS**

Please replace claim 20 in its entirety, with the following new claim 31:

31. A compound of formula:



where :

X is C=O or CR<sub>2</sub>;

n is an integer of value 1 to 6;

Y is R<sup>1</sup>R<sup>2</sup>CR-where one of R<sup>1</sup> and R<sup>2</sup> is -NH(B)<sub>p</sub>Z<sup>1</sup> and the other

is -CO(B)<sub>q</sub>Z<sup>2</sup> where

p and q are integers of value 0 to 30, and

each B is independently chosen from Q or an amino acid residue,

where Q is a cyclic peptide;

$Z^1$  and  $Z^2$  are metal complexing agents (L) or other protecting groups, which are biocompatible groups which inhibit or suppress *in vivo* metabolism of the peptide; J and each R are independently chosen from H, C<sub>1-4</sub> alkyl, C<sub>1-4</sub> alkenyl, C<sub>1-4</sub> alkynyl, C<sub>1-4</sub> alkoxyalkyl or C<sub>1-4</sub> hydroxyalkyl;

with the proviso that:

- (i) when X is CR<sub>2</sub>, then Z<sup>2</sup> is a metal complexing agent (L);
- (ii) at least one of R<sup>1</sup> and R<sup>2</sup> bears at least one detectable moiety suitable for diagnostic imaging of the human body;
- (iii) R<sup>1</sup> and R<sup>2</sup> include one or more of the peptide sequence consisting of NQEQQVSPYTLKG (SEQ ID NO: 2), which is a peptide fragment of  $\alpha_2$ -antiplasmin.

--  
In claims 22, 24, and 30, at line 1, the number "20" has been changed to --31--.

Claim 20-21 have been cancelled without prejudice.

### ***Conclusion***

Claims 22-31 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maury Audet whose telephone number is 571-272-0960. The examiner can normally be reached from 7:00 AM – 5:30 PM, off Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached at 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1654

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

MA, 04/29/2005



CHRISTOPHER R. TATE  
PRIMARY EXAMINER